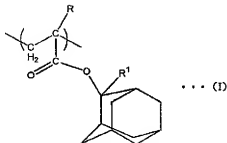


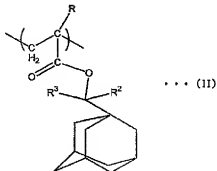
AMENDMENTS TO THE CLAIMS

1. **(Currently amended)** A positive resist composition, comprising:
a resin component (A) that exhibits increased alkali solubility under action of acid, said component (A) comprising:

(i) a structural unit (a1), which contains an acid dissociable, dissolution inhibiting group and is derived from a (meth)acrylate ester and is at least one unit selected from a general formula (I) or a general formula (II) shown below:



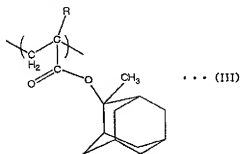
(wherein, R represents a hydrogen atom or a methyl group, and R¹ represents a lower alkyl group of 2 or more carbon atoms), and



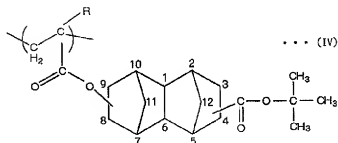
(wherein, R represents a hydrogen atom or a methyl group, and R² and R³ each represent, independently, a lower alkyl group),

(ii) a structural unit (a2), which contains an acid dissociable, dissolution inhibiting group that is less readily dissociated than said acid dissociable, dissolution inhibiting group contained in said structural unit (a1), and is derived from a (meth)acrylate ester and is at least one unit

selected from a general formula (III) or a general formula (IV) shown below:



(wherein, R represents a hydrogen atom or a methyl group), and



(wherein, R represents a hydrogen atom or a methyl group), and

(iii) a structural unit (a3), which contains a lactone functional group and is derived from a (meth)acrylate ester,

an acid generator component (B) that generates acid on exposure; and
 an organic solvent (C), wherein

said component (A) comprises a copolymer (A1) containing at least said structural unit (a1) and said structural unit (a2).

2. **(Canceled)**

3. **(Original)** A positive resist composition according to claim 1, wherein a proportion of said structural unit (a1) within a combined total of said structural unit (a1) and said structural unit (a2) is within a range from 40 to 90 mol%.

4. **(Original)** A positive resist composition according to claim 1, wherein a combination of said structural unit (a1) and said structural unit (a2) accounts for 30 to 60 mol% of a combined total of all structural units that constitute said component (A).

5. **(Original)** A positive resist composition according to claim 1, wherein said structural unit (a3) accounts for 20 to 60 mol% of a combined total of all structural units that constitute said component (A).

6. **(Canceled)**

7. **(Currently amended)** A positive resist composition according to claim [[6]] 1, wherein said copolymer (A1) also contains said structural unit (a3).

8. **(Currently amended)** A positive resist composition according to claim [[6]] 1, wherein said copolymer (A1) is mixed with a polymer containing said structural unit (a3).

9. **(Canceled)**

10. **(Canceled)**

11. **(Canceled)**

12. **(Original)** A positive resist composition according to claim 1, wherein said acid generator component (B) is an onium salt with a fluorinated alkylsulfonate ion as an anion.

13. **(Original)** A positive resist composition according to claim 1, further comprising an amine (D).

14. **(Original)** A method of forming a resist pattern, comprising the steps of applying a positive resist composition according to claim 1 to a substrate, conducting a prebake,

performing selective exposure, conducting PEB (post exposure baking), and performing alkali developing to form a resist pattern.

15. **(Original)** A method of forming a resist pattern according to claim 14, wherein a heating temperature used during said PEB is equal to or higher than a lower limit of a temperature range across which an acid dissociable, dissolution inhibiting group contained within said structural unit (a1) undergoes dissociation, but is less than a lower limit of a temperature range across which an acid dissociable, dissolution inhibiting group contained within said structural unit (a2) undergoes dissociation.

16. **(Original)** A method of forming a resist pattern according to claim 15, wherein a heating temperature used during said PEB is within a range from 90 to 125°C.

17. **(New)** A positive resist composition, comprising:
a resin component (A) that exhibits increased alkali solubility under action of acid, said component (A) comprising:

(i) a structural unit (a1), which contains an acid dissociable, dissolution inhibiting group and is derived from a (meth)acrylate ester

(ii) a structural unit (a2), which contains an acid dissociable, dissolution inhibiting group that is less readily dissociated than said acid dissociable, dissolution inhibiting group contained in said structural unit (a1), and is derived from a (meth)acrylate ester and

(iii) a structural unit (a3), which contains a lactone functional group and is derived from a (meth)acrylate ester;

an acid generator component (B) that generates acid on exposure; and

an organic solvent (C), wherein

said component (A) comprises a copolymer (A1) containing at least said structural unit (a1) and said structural unit (a2), and wherein

a combination of said structural unit (a1) and said structural unit (a2) accounts for 30 to 60 mol% of a combined total of all structural units that constitute said copolymer (A1), and

said structural unit (a3) accounts for 20 to 60 mol% of a combined total of all structural units that constitute said component (A).

18. (New) A positive resist composition according to Claim 17, wherein said copolymer (A1) also contains said structural unit (a3).

19. (New) A positive resist composition according to Claim 17, wherein said component (A) further comprises a structural unit (a4) containing a hydroxyl group, said structural unit (a4) accounting for 5 to 50 mol% to all the structural units that constitute said component (A).

20. (New) A positive resist composition according to Claim 17, wherein said component (A) further comprises a structural unit (a5) which contains no acid dissociable, dissolution inhibiting groups, lactones, or hydroxyl groups.

21. (New) A positive resist composition according to Claim 20, wherein said structural unit (a5) is a structural unit containing an aliphatic polycyclic group and derived from a (meth)acrylate ester.

22. (New) A positive resist composition according to Claim 17, wherein said organic solvent (C) is a mixed solvent containing at least one of PGMEA and ethyl lactate, together with γ -butyrolactone.